

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

RANDIN DIVELBISS,

Plaintiff,

v.

OPINION and ORDER

DEPUTY MCFARLAND and
ADAMS COUNTY SHERIFF,

24-cv-231-jdp

Defendants.

Plaintiff Randin Divelbiss, without counsel, alleges that an Adams County deputy referred false allegations of obstruction of an officer against him to the district attorney. The court has granted Divelbiss leave to proceed without prepayment of any portion of the filing fee. But Divelbiss has not signed the complaint, as he was required to do under Federal Rule of Civil Procedure 11(a).

Even if Divelbiss's complaint were signed, there is another potential problem that needs to be cleared up before I would screen it under 28 U.S.C. § 1915. I take Divelbiss to be saying that he was prosecuted for events taking place in late December 2023, but my review of electronic state court records does not show a criminal case initiated against Divelbiss for events taking place then. Rather, he was charged with obstruction in *State v. Divelbiss*, Adams County Case No. 2023CM20, for events taking place in late December 2022. I will direct Divelbiss to respond to this order by explaining whether Case No. 2023CM20 is the case in which he was falsely charged or whether otherwise what happened with the charges that he discusses in his complaint.

ORDER

IT IS ORDERED that:

1. Plaintiff Randin Divelbiss may have until April 30, 2024, to submit a signed copy of his complaint.
2. Plaintiff may have until April 30, 2024, to respond to this order by explaining what happened with the criminal charges that he discusses in his complaint.

Entered April 17, 2024.

BY THE COURT:

/s/

JAMES D. PETERSON
District Judge